

CHAPTER NO. 869

HOUSE BILL NO. 2659

By Representative Briley

Substituted for: Senate Bill No. 2929

By Senator Trail

AN ACT to amend Tennessee Code Annotated, Section 8-4-115, relative to standardized procedures for booking of arrestees.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF TENNESSEE:

SECTION 1. Tennessee Code Annotated, Section 8-4-115(a)(1)(C), is amended by deleting the subdivision in its entirety and substituting instead the following language:

(C) Delivery to the appropriate local law enforcement agency of a completed judgment order signed by a judge to be used by the local law enforcement agency for completion of an R-84 Disposition Card, except as provided below. A local law enforcement agency and a clerk of court can collaborate on an automated process for the electronic submission of final dispositions for criminal cases to the Tennessee bureau of investigation. After a law enforcement agency and a clerk of court have implemented an automated process for the electronic submission of final dispositions for criminal cases, and have had the process certified by the Tennessee bureau of investigation, all final dispositions shall be reported electronically. Upon implementation of an automated process for the electronic submission of final dispositions for criminal cases, the delivery to the local law enforcement agency of a completed judgment order signed by a judge to be used by the local law enforcement agency for completion of an R-84 Disposition Card, and the submission by the local law enforcement agency of a completed R-84 Disposition Card to the Tennessee bureau of investigation are no longer required;

SECTION 2. Tennessee Code Annotated, Section 8-4-115(a)(1)(D), is amended by deleting the subdivision in its entirety and substituting instead the following language:

(D) An arrest report; and

SECTION 3. Tennessee Code Annotated, Section 8-4-115(a)(1), is amended by adding the following as a new, appropriately designated subdivision:

(E) Delivery to the appropriate court clerk office of a warrant or capias for offense containing the state control number assigned by the law enforcement agency upon the arrest of an individual to be recorded in the court information system of the court clerk office.

SECTION 4. Tennessee Code Annotated, Section 8-4-115, is amended by adding the following new subsection:

(h) Upon establishment of an automated system for final disposition reporting, clerks of court shall submit final disposition reports electronically to the Tennessee bureau of investigation. Jurisdictions that submit final disposition reports electronically will cease the submission of R-84 Disposition Cards upon

advisement from the Tennessee bureau of investigation. The submission of an electronic final disposition report shall have the same force and effect as the submission of a R-84 Disposition Card.

SECTION 5. Tennessee Code Annotated, Section 8-4-115, is amended by adding the following new subsection:

(i) Any automated court information system being used or developed on or after July 1, 2005, including, but not limited to, the Tennessee court information system (TnCIS) being designed pursuant to § 16-3-803(h), shall ensure that an electronic file of final disposition data will be reported to the Tennessee bureau of investigation. The form, general content, time, and manner of submission of the electronic file of final disposition data will comply with the rules and regulations prescribed by the Tennessee bureau of investigation.

SECTION 6. This act shall take effect July 1, 2004, the public welfare requiring it.

PASSED: May 19, 2004


JIMMY RAIFEH, SPEAKER
HOUSE OF REPRESENTATIVES


JOHN S. WILDER
SPEAKER OF THE SENATE

APPROVED this 8th day of June 2004


PHIL BREDESEN, GOVERNOR